

DAVID BURCHARD  
CHAPTER 13 TRUSTEE  
P.O. BOX 8059  
FOSTER CITY, CA 94404  
(650) 345-7801 FAX (650) 345-1514  
(707) 544-5500 FAX (707) 544-0475

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SANTA ROSA DIVISION**

In re:

RALPH YULFO JR. and DENISE L. YULFO  
1550 GRENACHE WY  
SANTA ROSA, CA 95403

###-##-7632 ###-##-0210  
Debtor(s).

Case No.: 10-1-1764AJ13  
Chapter 13

***THIRD AMENDED*** NOTICE BY DAVID  
BURCHARD, CHAPTER 13 TRUSTEE, OF  
CHAPTER 13 PLAN DEFICIENCIES

**CONFIRMATION HEARING:**

Date: 12/20/2010  
Time: 1:30 PM  
Place: United States Bankruptcy Court  
99 South E Street  
Santa Rosa, CA 95404

DAVID BURCHARD, Chapter 13 Trustee in the above-entitled action, cannot recommend Confirmation of the Chapter 13 Plan proposed hereunder by Debtor(s) for the following reason(s).

1. The Debtor's plan does not meet the requirements of 11 U.S.C. § 1325(d), as the plan payment is insufficient to pay all priority and administrative claims, and therefore, the plan is not feasible. The source of the non-feasibility appears to result from the following factors: Schedule D has been amended to add Consolidated Resorts, however, the plan make no provision for said creditor. Additionally, Kay Jewelers is scheduled as unsecured, however, said creditor has filed a secured proof of claim in the amount of \$1,247.42. The Trustee requests that debtor's counsel amend the plan to provide treatment to Consolidated Resorts. Further, the Trustee requests that debtor's counsel amend the plan to provide treatment to Kay Jewelers, or, in the alternative, file an objection to said claim.
2. The Trustee requests copies of Debtors' payment advices received in the last six months prior to the filing of the Bankruptcy (November 2009 through April 2010), or, in the alternative, a Debtors' declaration that details why pay advices cannot be provided.
3. Schedule I reflects Debtors' 26-year old daughter as a dependent. The Trustee requests clarification or verification.
4. Schedule I reflects a payroll deduction of \$131.08 and \$307.67 for "401K/TSP07". The Trustee requests verification of both payroll deductions.
5. Schedule I also reflects a payroll deduction of \$132.17 for "Vehicle Use". The Trustee requests verification of said monthly deduction.

6. Schedule A reflects the value of Debtors' Time Share located in Tahiti Village as \$8,000.00. The Trustee requests verification of how Debtor arrived at this value.

PLEASE TAKE NOTICE that, without prior notice, at the above-referenced confirmation hearing date assigned to your Chapter 13 case, the Court may DISMISS the above-referenced case upon making a determination that Debtor(s) has/have not presented a feasible Plan, Debtor(s) has/have not made the required payments under the Plan, Debtor(s) has/have violated the statutory debt limitations set for a Chapter 13 case, Debtor(s) has/have not filed this proceeding in good faith, Debtor(s) has/have not provided documents and/or Schedules and Plan as required under the Bankruptcy code, and/or Debtor(s) has/have not provided the Trustee with Payment Advices or Declarations.

Dated: December 2, 2010

DAVID BURCHARD

DAVID BURCHARD, Chapter 13 Trustee

### Certificate of Mailing

I, DENIZ BRIDGMAN, the undersigned, certify that:

I am over the age of 18 years and not a party to this action. I am employed by the Trustee whose business address is 393 Vintage Park Drive, Suite #150, Foster City, CA. On the date set forth below, I served a copy of the NOTICE BY DAVID BURCHARD, CHAPTER 13 TRUSTEE, OF CHAPTER 13 PLAN DEFICIENCIES, and this Certificate of Mailing, on the persons listed below by following our ordinary business practice for service, which is either deposited in the ordinary course of business with the U.S. Postal Service by first class mail or served by electronic transmission from the Court, if applicable. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

RALPH YULFO JR. and DENISE L. YULFO  
1550 GRENACHE WY  
SANTA ROSA, CA 95403

DANIEL B. BECK  
BECK LAW, P.C.  
2681 CLEVELAND AVE.  
SANTA ROSA, CA 95403

United States Trustee  
235 Pine Street, Suite 700  
San Francisco, CA 94104

Dated: December 2, 2010

WENDY KARNES

WENDY KARNES